

DMP

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-11 033

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. §§ 952(a)
and 960)

NICKIESHA UTER,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

ILIANA PAGAN, being duly sworn, deposes and states that she is a Special Agent with United States Department of Homeland Security, Homeland Security Investigations ("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about September 16, 2011, within the Eastern District of New York and elsewhere, defendant NICKIESHA UTER did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for her belief are as follows:^{1/}

1. On September 16, 2011, the defendant NICKIESHA UTER, a citizen of Jamaica, arrived at John F. Kennedy International Airport ("JFK") in Queens, New York, aboard Caribbean Airlines Flight No. BW 15 from Kingston, Jamaica.

2. The defendant NICKIESHA UTER was selected by Customs and Border Protection ("CBP") officers for a customs inspection. The defendant presented a green "LC" suitcase and a black "Protocol" suitcase for inspection. She stated that both suitcases were hers.

3. A CBP officer examined the green "LC" suitcase (bag tag #614091) and found a black "Alta" duffle bag inside. The CBP officer asked the defendant NICKIESHA UTER if the "Alta" duffle bag was hers, and she responded that it was. The CBP officer examined the "Alta" duffle bag and noticed that it was extremely heavy and the bottom of the duffle bag was unusually thick.

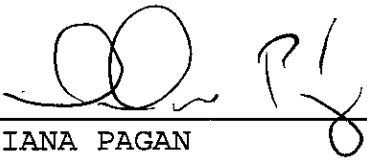
4. The CBP officer cut open the bottom of the "Alta" duffle bag, revealing a package underneath a false bottom. The package was probed and found to contain a white powdery

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

substance. The white powdery substance was field-tested and was positive for the presence of cocaine.

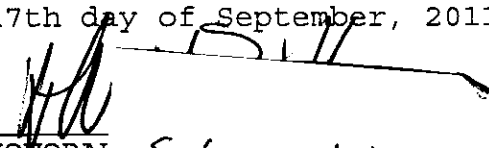
5. The approximate total gross weight of the cocaine found in defendant NICKIESHA UTER's bag was 2344 grams.

WHEREFORE, your deponent respectfully requests that the defendant NICKIESHA UTER be dealt with according to law.



ILIANA PAGAN
Special Agent
Homeland Security Investigations

Sworn to before me this
17th day of September, 2011



HONORABLE
JUDGE
S. POHORELSKY

J. SKY
JUDGE
R. K.